

### REMARKS

Claims 1-10 are pending. Claims 2 and 11-19 have been cancelled. Claims 20-25 have been added. Claims 1, 3-10, and 20-25 remain in the case for reconsideration. No new subject matter has been added.

Claims 1, 2, 4, 6, 7, 9, and 10 are rejected under 35 U.S.C. 112, second paragraph. Claims 1, 2, 4, 6, 7, 9, and 10 have been amended as suggested by the Examiner and therefore are allowable under 35 U.S.C. 112.

Relating to claim 10, the Examiner has indicated it is not understood what is meant by "overlapping stair stepped gap". The Examiner has also indicated that it does not appear that claim 10 further limits claim 9.

Claim 10 has been amended to clarify that the dual diameter discs on adjacent elongated members partially overlap. This is clearly shown in FIG. 6 where disc 86 on a first elongated member 92 partially overlaps with disc 86 on an adjacent elongated member 92.

Claim 9 does not include the limitation of the two discs partially overlapping. Therefore, claim 10 does add an additional limitation to claim 9. According, claim 10 is now allowable under 35 U.S.C. 112.

Claims 1, 2, and 6-10 have been rejected under 35 USC 102(b) as being anticipated by Austin. The rejections are respectfully traversed. However to further prosecution claim 1 has been amended to recite:

*wherein the multiple elongated members are tubes with a continuous round cross-sectional shape with a substantially smooth outside surface that extends along substantially an entire length of the elongated members.* This is clearly shown in FIGS. 1-4.

Austin does not have multiple elongated tubes with a continuous round cross-sectional shape with a substantially smooth outside surface that extends along substantially an

entire length of the elongated members. Accordingly, claims 1 and 6-10 are allowable under 35 USC 102(b).

Claims 3-5 are rejected under 35 USC 103(a) as being unpatentable over Austin in view of Gilmore. Neither Austin or Gilmore disclose *multiple elongated members that are tubes with a continuous round cross-sectional shape with a substantially smooth outside surface that extends along substantially an entire length of the elongated members* as specified in claim 1.

The Examiner also did not give any weight to the limitations in claims 3-5 after the words “configured to”. The words “configured to” have been removed, accordingly the Examiner should give the subsequent limitations weight and provide additional reasons for patentability.

For example, Gilmore does not disclose at least one vacuum member that includes input holes that suck air for retaining some of the non-rigid materials as specified in claim 3. Gilmore also does not disclose a vacuum member that includes output holes that bloc air for dislodging the non-rigid materials retained by the input holes as specified in claim 4. Gilmore also does not disclose a divider located inside the vacuum member that separates the input holes from the output holes as specified in claim 5.

According, claims 3-5 are allowable under 35 USC 103(a) over Austin in view of Gilmore. New claims 20-25 are allowable for at least some of the same reasons as claims 1, and 3-10.

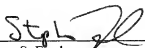
### ***Conclusion***

For the foregoing reasons, reconsideration and allowance of claims 1-19 and new claims 20-25 of the application is requested. The Examiner is encouraged to telephone the

undersigned at (503) 224-2170 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

  
\_\_\_\_\_  
Stephen S. Ford  
Reg. No. 35,139

STOLOWITZ FORD COWGER LLP  
621 SW Morrison Street, Suite 600  
Portland, Oregon 97205

**Customer No. 73552**